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June 18, 2018

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Via Electronic Filing

Honorable Magistrate Judge Pitman
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Kwan v. Sahara Dreams Co. II Inc., et al.*
Civil Action No. 17-cv-4058 (RA)(HBP)

Dear Judge Pitman:

This firm represents the Defendants in the above action.

Defendants write respectfully to seek the Court's intervention to resolve various disputes between the parties, including plaintiff's recent court filing of a motion for class and collective certification. Prior to plaintiff's filing of this motion over this past weekend despite Defendants' objection, counsel for Defendants had requested on Friday, June 15, 2018, that the parties arrange for a time to contact the Court. Plaintiff's counsel was sent three email communications on Friday and his office was again telephoned this morning. As of the time of this filing, plaintiff's counsel has still not responded to Defendants' request to address these outstanding issues.

Specifically, on April 12, 2018, Defendants filed a motion to dismiss plaintiff's amended complaint [Dkt Nos. 42, 43, 44] and by Letter Motion, sought a stay of discovery pursuant to Fed.R.Civ.P. 26(c)[Dkt. No. 45]. Subsequently, on April 26, 2018, plaintiff's counsel wrote to the Court and expressed his intention to file an amended Complaint by May 18, 2018 [Dkt. 46]. After plaintiff failed to file an amended complaint, plaintiff's counsel subsequently wrote to the Court on June 1, 2018, seeking a new briefing schedule for opposing Defendants' motion to dismiss and Plaintiff's motion for conditional collective and class certification [Dkt. 47]. Defendants objected to the briefing schedule because it failed to take into consideration, Defendants' prior application for a stay and the fact that in the event a stay was not granted, pre-certification discovery still remained outstanding.

Defendants respectfully request a Court conference to resolve these outstanding issues. Pursuant to Judge Abrams' referral to Your Honor for general pretrial, we have been advised to make this application directly to you for consideration. Defendants are available to appear telephonically or in person any day this week at any time convenient to the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Felicia S. Ennis', with a stylized flourish at the end.

Felicia S. Ennis